

REMARKS

Claims 1, 2, 7-11, 13, 14, 19 and 20 are pending in the present application with claims 1, 8 and 19 being independent. Claims 6 has been canceled without prejudice to, or disclaimer of, the subject matter therein. The subject matter of claim 6 has been placed onto claims 1, 8 and 19, respectively. Reconsideration in view of the following remarks is kindly requested.

Claim Rejections--35 U.S.C. § 112

Claims 19-20 are rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement.

Applicant respectfully submits that training features recited in claims 19-20 have been described in the original filed specification and drawings. For example, paragraph 0041 discloses "the system 1000 may have difficulty in recognizing one or more command words from a user due to specific accent and other user-specific speech features," which supports a preset voice-activated command, stored in the recognition memory that was not recognized for a previous utterance from a user, as recited in claim 19. Paragraph 0041 further discloses "a speaker-dependent training feature in the client device 200 is used to allow a user to substitute a different, user-selected and trained, command word for one of the preset command words." In addition, an example as to this training feature has also been disclosed in this paragraph. These further disclosures provide literal support for "the step of replacing a preset voice-activated command with a current utterance from the user," as recited in claim 19.

As the claimed features in claim 19 have been disclosed in the originally filed specification and drawings, there is no new matter been added in claims 19-20. Reconsideration and withdrawal of the rejection are respectfully requested.

Claim Rejections – 35 U.S.C. § 102

Claims 1, 2, 6 and 7 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Rozak (USP 6,363,347). This rejection is respectfully traversed.

Claim 6 has been canceled and the features from this claim added to claim 1. Applicant respectfully submits that Rozak fails to teach or suggest a method of recognizing speech so as to modify a currently active vocabulary, comprising, at least: extracting only information in said received utterance necessary for recognition at a client device that is receiving the utterance, as recited in independent claim 1.

As admitted in the Office Action regarding claims 6-7, the feature of extraction is alleged as being inherently included in a speech recognition system, instead of being actually taught or suggested in Rozak. To establish inherency, the extrinsic evidence “must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill.” (*Continental Can co. v. Monsanto Co.*, 948 F.2d 1264, 1268, 20 U.S.P.Q.2d 1746, 1749 (Fed. Cir. 1991). “Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.” (*Id.* at 1269, 20 U.S.P.Q. 2d at 1749).

Rozak is directed to a method and system for displaying a variable number of alternative words during speech recognition. The method and system can allow speaker to select the number of alternative words to be displayed in a correction window while using a computer speech recognition system. Any extraction function in Rozak is performed by the speaker, instead of by the client device. See for example, that “the speaker indicated that the word “fake” should be corrected” (col. 3, lines 27-

28). Therefore, an extraction feature performed by a client device is not inherently included in Rozak.

Because Rozak fails to disclose each and every feature of the claimed invention as recited in claim 1, Rozak cannot provide a basis for a rejection under 35 U.S.C. §102. Claims 2 and 6-7 should be indicated as allowable as they depend from allowable claims 1 and 8. Reconsideration and withdrawal of the rejection are therefore kindly requested.

Claim Rejections – 35 U.S.C. § 103

Claims 8-11, 14 and 19-20 stand rejected as allegedly being unpatentable over Hedin et al. (USP 6,185,535, hereinafter “Hedin”) in view of Rozak. This rejection is respectfully traversed.

Applicant respectfully submits that Hedin singly or in combination with Rozak fail to teach or suggest a method of recognition vocabulary on a device having a current vocabulary of preset voice-activated commands, comprising, at least: a client device receiving an utterance from a user, the client device extracting only information in said received utterance necessary for recognition, as recited in claim 8 and as somewhat similarly recited in claim 19. For the reason listed above for claim 1, claims 8 and 19 should be indicated as allowable. Claims 9-11, 14 and 20 should be indicated as allowable at least because they depend from allowable independent claims 8 and 20, and/or on their own merits. Withdrawal of the rejection is therefore kindly requested.

Claim 20 stands rejected under 35 U.S.C. 103 (a) as being unpatentable over Hedin in view of Rozak, and further in view of Kenevsky et al. (USP 6,161,090). Applicant respectfully traverses.

Claim 20 should be indicated as allowable at least for its dependence on independence on allowable independent claim 19 and its own merits. Withdrawal of the rejection is therefore kindly requested.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1, 2, 7-11, 13, 14, 19 and 20 in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Matthew J. Lattig at (703) 668-8026 (direct).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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